



# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
TDD only 1-800-231-6103 (FL only)  
On the World Wide Web at [WaterMatters.org](http://WaterMatters.org)

An Equal  
Opportunity  
Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Director at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211, ext. 4703, or 1-800-423-1476 (FL only), ext. 4703; TDD (FL only) 1-800-231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us).

## Final Agenda

### GOVERNING BOARD MEETING

SEPTEMBER 30, 2014

1:00 PM

#### Tampa Service Office

7601 US HWY. 301 (FORT KING HWY), TAMPA, FL 33637  
(813) 985-7481

*☞ All meetings are open to the public. ☜*

- Viewing of the Board meeting will be available at each of the District offices and through the District's web site ([www.watermatters.org](http://www.watermatters.org)) -- follow directions to use internet streaming.
- Public input will be taken only at the meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

Unless specifically stated, scheduled items will not be heard at a time certain.

The current Governing Board agenda and minutes of previous meetings are on the District's web site: [www.WaterMatters.org](http://www.WaterMatters.org)

MEETING NOTICE

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or 1-800-492-7862 (FL only)

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or 1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Hwy 301 N (Fort King Highway)  
Tampa, Florida 33637-6759  
(813) 985-7481 or 1-800-836-0797 (FL only)

**1:00 P.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)**

1. *Call to Order*
2. *Pledge of Allegiance and Invocation*
3. *Ceremony to Honor Todd Pressman for His Service on the Governing Board*
4. *Additions/Deletions to Agenda*
5. *Public Input for Issues Not Listed on the Published Agenda*

**CONSENT AGENDA (TAB B)*****Regulation Committee***

6. Individual Water Use Permits Referred to the Governing Board
7. Executive Director Authority to Approve Specified District Initiated Variances within the Dover/Plant City Water Use Caution Area

***Operations & Land Management Committee***

8. Declare Lands Surplus and Approve Conveyance - Joe's Creek Project, SWF Parcel No. 16-040-123S

***Resource Management Committee***

9. City of North Port's Potable Water ASR System Change in Scope (K120)
10. Plant City Reclaimed Water Sydney and Park Road Transmission and Pumping Project Agreement Replacement (L816)
11. Florida Governmental Utility Authority Wet Weather Reclaimed Water Interconnect, Storage and Pumping Project First Amendment (N370)
12. Scope Change for the City of Bradenton's Potable Water ASR System (N435)
13. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Starvation Lake in Hillsborough County (P256)
14. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Lakes Hanna, Keene and Kell in Hillsborough County (P256)
15. City of St. Petersburg Beach Egan Park BMPs (W294)
16. Lake Seminole Watershed Stormwater Pollution Project (P902)
17. Five-Year Water Resource Development Work Program
18. Board Designated Encumbrance-Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)

***Finance/Outreach & Planning Committee***

19. Budget Transfer Report
20. FY2013-14 Board Designated Encumbrance for Consultant Services for Inspector General Support
21. Fiscal Year (FY) 2013-14 Board Designated Encumbrance
22. Approval of Resolution No. 14-14 Requesting Encumbrance of Fiscal Year 2013-14 Budgeted Funds within the Water Management Lands Trust Fund

***General Counsel's Report***

23. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
  - a. Approval of Revisions to District Policies – 110-3, Governing Board Committee Responsibilities; 110-3A, Governing Board Committee Responsibilities – Finance and Administration Committee; 110-3B, Governing Board Committee Responsibilities – Regulation Committee; 110-3C, Governing Board Committee Responsibilities – Resource Management and Development Committee; 110-3E, Governing Board Committee Responsibilities – Outreach and Planning Committee; and the Repeal of District Policy 110-3D, Governing Board Committee Responsibilities – Diversity Committee
  - b. Interagency Agreement Between the SWFWMD and the SFWMD -- Designation of Regulatory Responsibility – Kickin Tires Ranch – Polk County
  - c. Amendment to Perpetual Conservation Easement – Bronson Property – Lake County
  - d. Consent Order – Overpumpage Penalties – Water Use Permit No. 20012514.007 – Colding Loop Road Wimauma, LLC – CT No. 366376 – Hillsborough County

- e. Board Designated Encumbrance Legal Services, Expert Testimony/Analysis, and Administrative Law Judge
- 24. Rulemaking
  - a. Rulemaking – Initiation and Approval of Amendments to Chapter 40D-1, F.A.C., to Make District Procedural Rules Consistent with Statewide Environmental Resource Permitting Procedural Rules in Chapter 62-330, F.A.C.
  - b. Rulemaking – Initiation and Approval of Amendments to Chapter 40D-3, F.A.C. to Incorporate Changes in DEP Rules for Water Well Contractors and Construction of Water Wells
  - c. Approval of Final Rule Language and Authorization to Complete Rulemaking to Create Rule 40D-1.700, Florida Administrative Code (F.A.C.), to Establish Procedures and Adopt Forms for the Registration of Lobbyists that Lobby the District

**Executive Director's Report**

- 25. Approve Resolution No. 14-13, Commending Todd Pressman for His Service as a Member of the Southwest Florida Water Management District Governing Board
- 26. Approve Governing Board Minutes - August 26, 2014

**REGULATION COMMITTEE (TAB C)**

**Discussion**

- 27. Consent Item(s) Moved for Discussion
- 28. Denials Referred to the Governing Board

**Submit & File Reports - None**

**Routine Reports**

- 29. Overpumpage Report - September 2014
- 30. Individual Permits Issued by District Staff - September 2014

**OPERATIONS & LAND MANAGEMENT COMMITTEE (TAB D)**

**Discussion**

- 31. Consent Item(s) Moved for Discussion
- 32. Hydrologic Conditions Status Report
- 33. Accept Appraisals and Approve Purchase and Sale Agreement and Resolution Requesting Funds from the Florida Forever Trust Fund for the Acquisition of Weekiwachee Preserve, SWF Parcel No. 15-773-144

**Submit & File Reports**

- 34. Summary of FY 2014 Interagency Land Management Reviews

**Routine Reports**

- 35. Structure Operations
- 36. Significant Activities

**RESOURCE MANAGEMENT COMMITTEE (TAB E)**

**Discussion**

- 37. Consent Item(s) Moved for Discussion
- 38. Tampa Bay Water Update
- 39. District Project Management Office

**Submit & File Reports**

- 40. Minimum Flows and Levels Priority List and Schedule Update

**Routine Reports**

- 41. Minimum Flows and Levels Status Report
- 42. Significant Water Resource and Development Projects

**FINANCE/OUTREACH & PLANNING COMMITTEE (TAB F)**

**Discussion**

- 43. Consent Item(s) Moved for Discussion

**Submit & File Reports**

- 44. Office of Inspector General-Six Month Progress Report to Auditor General Report 2014-082

## 45. Strategic Plan 2014-2018 Update

**Routine Reports**

- 46. Treasurer's Report and Payment Register
- 47. Monthly Financial Statement
- 48. Monthly Cash Balances by Fiscal Year
- 49. Comprehensive Plan Amendment and Related Reviews Report
- 50. Development of Regional Impact Activity Report
- 51. Significant Activities

**GENERAL COUNSEL'S REPORT (TAB G)****Discussion**

- 52. Consent Item(s) Moved for Discussion

**Submit & File Reports - None****Routine Reports**

- 53. Litigation Report
- 54. Rulemaking Update

**COMMITTEE/LIAISON REPORTS (TAB H)**

- 55. Agricultural and Green Industry Advisory Committee Report
- 56. Other Committee/Liaison Reports

**EXECUTIVE DIRECTOR'S REPORT (TAB I)**

- 57. Executive Director's Report

**CHAIR'S REPORT (TAB J)**

- 58. Executive Director's and Inspector General's Annual Reports
- 59. Employee Milestones
- 60. Other

**3:30 P.M. TIME CERTAIN CLOSED SESSION (TAB K)**

Closed-Door Attorney-Client Session Pursuant to Section 286.011(8), Florida Statutes, to Discuss Strategy Regarding Settlement Negotiations in SWFWMD V. Danny J. Suggs, Et Al. (5Th Judicial Circuit, Case No. 2003-CA-724), and in Re Danny J. Suggs (U.S. Bankruptcy Court, Case No. 3:12-Bk-6997-PMG and Adversary Proceeding No. 13-Ap-272)

– Sumter County

\*\*\* **RECESS PUBLIC HEARING** \*\*\*

**ANNOUNCEMENTS**

<http://www.swfwmd.state.fl.us/calendar>

- Governing Board Meetings Schedule:

Meeting - The Villages .....	October 28, 2014
Meeting - Tampa .....	November 18, 2014
Meeting - Tampa .....	December 16, 2014
Meeting - Tampa .....	January 27, 2015
- Governing Board Public Budget Hearings Schedule:

Tentative Budget - Tampa .....	September 15, 2015
Final Budget - Tampa .....	September 29, 2015
- Advisory Committee Meeting Schedule:

Well Drillers - Tampa .....	October 8, 2014
Environmental - Tampa .....	October 14, 2014
Industrial and Public Supply - Tampa .....	November 13, 2014
Agricultural and Green Industry - Tampa .....	December 4, 2014

**5:01 P.M. CONVENE TENTATIVE FY2014-15 BUDGET HEARING**

## ADJOURNMENT

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or an issue that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899. The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.